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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,367	06/27/2001	Paul England	MSFT-0249/148565.1	2363
41505	7590	06/01/2005	EXAMINER	
WOODCOCK WASHBURN LLP ONE LIBERTY PLACE - 46TH FLOOR PHILADELPHIA, PA 19103			NALVEN, ANDREW L	
			ART UNIT	PAPER NUMBER

2134

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/892,367

Applicant(s)

ENGLAND ET AL.

Examiner

Andrew L. Nalven

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,6-10,14,15,19,20,24,25,29 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 6-10, 14-15, 19-20, 24-25, 29-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-2, 6-10, 14-15, 19-20, 24-25, 29-30 are pending.

Response to Arguments

2. Applicant's arguments filed 4 March 2005 have been fully considered but they are not persuasive.

3. Applicant has argued on page 12 that the Watney reference fails to teach the quantizer for performing a lossy quantization step wherein the quantizer is de-dithered according to the content key. Examiner notes that Watney has only been relied upon to teach a decompression element that performs a lossy quantization step. Examiner has relied upon the Yoshiura reference to teach a decompression element that decompresses according to a content key. Thus, Examiner maintains that the combination of Yoshiura and Watney teach a decompression element that includes a quantizer for performing a lossy quantization step and wherein the quantizer is de-dithered according to a content key (Watney, column 3 lines 36-47, Yoshiura, column 5 lines 53-67). Further, Applicant's argument that Watney fails to appreciate or suggest that the quantizer should employ a content key is spurious because Examiner has only relied upon Watney to teach a decompression step in the form of a lossy quantization step. The Watney reference does not need to suggest the use of a key because that limitation is taught by the Yoshiura reference.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 6-8, 9-10, 14-15, 19-20, 24-25, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshiura et al US Patent No. 6,157,720 in view of Watney US Patent No. 5,930,398. Yoshiura discloses a method and apparatus for data encryption. Watney teaches a method for determining a quantizing factor for data compression/decompression.

6. With regards to claims 1, 14, and 24, Yoshiura teaches a decryption element for decrypting the content based at least in part on a content key (Yoshiura, column 8 lines 15-32, work key) and a decompression element for decompressing the content based at least in part on the content key (Yoshiura, column 8 lines 33-50, compression includes the correspondence changing portion, column 5 lines 53-67, correspondence changing portion uses the work key) wherein the content key is employed to decrypt the content and also to decompress the content (Yoshiura, column 5 lines 53-67, column 8 lines 15-32, both use work key), and the compression/decompression element having a number of adjustable parameters and wherein the decompression element employs the content key as at least one of the adjustable parameters (Yoshiura, column 5 lines 53-67).

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Yoshiura fails to teach the decompression element including a quantizer for performing a lossy quantization. Watney teaches teach the decompression element including a quantizer for performing a lossy quantization (Watney, column 3 lines 36-47). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Watney's quantization method with Yoshiura's encryption apparatus because it offers the advantage of providing compression and decompression of data while limiting data degradation (Watney, column 3 lines 22-35).

7. With regards to claims 2, 15, and 25, Yoshiura as modified teaches a decryption element having an input for receiving the encrypted compressed content (Yoshiura, column 8 lines 15-16, compressed and encrypted text), the decryption element for decrypting the encrypted compressed content based at least in part on a content key to result in decrypted compressed content (Yoshiura, column 8 lines 17-18, work key as parameter), and having an output for producing the decrypted compressed content (Yoshiura, column 8 lines 28-32, compressed text), a decompression element having an input for receiving the decrypted compressed content (Yoshiura, column 8 lines 33-35), the decompression element for decompressing the decrypted compressed content based at least in part on the content key to result in decrypted decompressed content (Yoshiura, column 8 lines 37-40, column 5 lines 53-67), and having an output for producing the decrypted decompressed content (Yoshiura, column 8 lines 65-67, overall data is processed) wherein a content thief obtains the decrypted compressed content from the output of the decryption element cannot decompress the obtained decrypted

compressed content by way of another decompression element without the content key (Yoshiura, column 6 lines 29-40).

8. With regards to claims 4, 12, 17, 22, 27, and 32, Yoshiura as modified teaches the decompression element including an internal representation having DCT coefficients of macroblocks and wherein the coefficients are de-scrambled and de-noised according to the content key (Yoshiura, column 5 lines 44-64, coefficients created using work key).

9. With regards to claim 6, Yoshiura teaches the decryption element supplying the content key to the decompression element (Yoshiura, column 8 lines 59-64).

10. With regards to claims 7-8, Yoshiura teaches the decompression element includes the decryption element or the decryption element includes the decompression element (Yoshiura, column 6 lines 47-52).

11. With regards to claims 9, 19, and 29, Yoshiura as modified teaches an encryption element for encrypting the content based at least in part on a content key (Yoshiura, column 4 lines 38-47, work key) and a compression element for compressing the content based at least in part on the content key (Yoshiura, column 4 lines 5-24, work key) wherein the content key is employed to encrypt the content and also to compress the content (Yoshiura, column 4 lines 55-59).

12. With regards to claims 10, 20, and 30, Yoshiura as modified teaches a compression element having an input for receiving the content (Yoshiura, column 4 lines 16-21), the compression element for compressing the content based at least in part on a content key to result in compressed content, and having an output for producing compressed content (Yoshiura, column 4 lines 5-15), an encryption element

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having an input for receiving the compressed content (Yoshiura, column 4 lines 48-49), the encryption element for encrypting the compressed content based at least in part on the content key to result in encrypted compressed content (Yoshiura, column 4 lines 48-58, work key), and having an output for producing the encrypted compressed content (Yoshiura, column 4 lines 55-58) wherein the encrypted compressed content from the output of the encryption element cannot be decompressed without the content key (Yoshiura, column 6 lines 29-40).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L. Nalven whose telephone number is 571 272 3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 571 272 3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrew Nalven

AN

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